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## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI SOUTHEASTERN DISTRICT

BILLY HAROLD CRUDUP,	)	
Plaintiff,	)	
	)	
	)	
V.	)	No. 1:23-CV-00167 ACL
	)	
BILL STANGE, et al.,	)	
	)	
Defendants.	)	

## **OPINION, MEMORANDUM AND ORDER**

This matter is before the Court upon return of summons from the United States Marshal's Service relative to defendants Pierce Yount and Philip Dobbs. *See* ECF Nos. 45 and 46. Service could not be effectuated on defendants Yount and Dobbs because these individuals were no longer residing at their former addresses. As such, plaintiff will be required to provide new addresses to serve these defendants. *See Lee v. Armontrout*, 991 F.2d 487, 489 (8th Cir. 1993) (it is plaintiff's responsibility to provide the information necessary for service on the defendants); *see also Beyer v. Pulaski Cnty. Jail*, 589 Fed. Appx. 798, 799 (8th Cir. 2014) (stating that "a plaintiff bears the burden of providing proper service information").

Plaintiff's failure to provide new addresses for service on defendants Yount and Dobbs, within twenty-one (21) days of the date of this Order, will result in a dismissal of these defendants from this action pursuant to Federal Rule of Civil Procedure 4(m).<sup>1</sup>

Accordingly,

IT IS HEREBY ORDERED that, no later than twenty-one (21) days from the date of this

<sup>&</sup>lt;sup>1</sup>Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

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Order, plaintiff shall provide the Court with adequate information such that defendants Pierce Yount and Philip Dobbs may be served with process.

IT IS FURTHER ORDERED that plaintiff's failure to provide new addresses within twenty-one (21) days at which defendants Yount and Dobbs may be served will result in a dismissal of the claims against these defendants, without prejudice, pursuant to Federal Rule of Civil Procedure 4(m).

Dated this 3<sup>rd</sup> day of September, 2024.

HENRY EDWARD AUTREY UNITED STATES DISTRICT JUDGE